

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

CERTIFIED COPY

A True Copy

Teste:

Deputy Clerk
of the United States
Court of Appeals for the
Seventh Circuit

ORDER

April 15, 2021

Before

MICHAEL S. KANNE, *Circuit Judge*
DIANE P. WOOD, *Circuit Judge*
DAVID F. HAMILTON, *Circuit Judge*

No. 21-1525	JOANNE TROESCH and IFEOMA NKEMDI, on behalf of themselves and the putative class, Plaintiffs - Appellants v. CHICAGO TEACHERS UNION, LOCAL UNION NO. 1, AMERICAN FEDERATION OF TEACHERS and THE BOARD OF EDUCATION OF THE CITY OF CHICAGO, Defendants - Appellees
Originating Case Information:	
District Court No: 1:20-cv-02682 Northern District of Illinois, Eastern Division District Judge John Z. Lee	

The following are before the court:

1. **MOTION TO DISMISS OR STAY**, filed on March 29, 2021, by counsel for Appellee Board of Education of the City of Chicago.
2. **APPELLEE CHICAGO TEACHERS UNION'S JOINDER IN MOTION TO DISMISS OR STAY**, filed on March 31, 2021, by counsel for Appellee Chicago Teachers Union.

No. 21-1525

Page 2

3. **APPELLANTS' RESPONSE TO MOTION TO DISMISS OR STAY**, filed on April 5, 2021, by counsel for appellants.

JoAnne Troesch and Ifeoma Nkemdi appeal the dismissal of their complaint alleging that the Board of Education of the City of Chicago and the Chicago Teachers Union violated the First Amendment by permitting union members to stop their dues payments only during an annual escape period. The parties agree that the outcome of Troesch and Nkemdi's appeal is controlled by our recent decision in *Bennett v. Council 31 of the American Federation of State County and Municipal Employees*, 991 F.3d 724 (7th Cir. 2021), in which we held that it does not violate the First Amendment for a union to continue deducting dues that an employee voluntarily agreed to pay. Accordingly,

IT IS ORDERED that the motion is **GRANTED** and the judgment of the district court is summarily **AFFIRMED**.

form name: c7_Order_3J(form ID: 177)